

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 3:18-CV-941

Sig Sauer (Sig-Arms) MPX-P Pistol,
CAL: 9, SN: 62B039420;

Heckler and Koch MP5 Machine Gun,
CAL: 9, SN: 5016;

Colt M4 Rifle, CAL: 223, SN: 846552;

Ratmil ROMAK 2 Rifle, CAL: 545,
SN: 0K0068;

Ident Marking Services, Rockwall TX MK
111 7.62 MK III Silencer, CAL: 762,
SN: 20120142;

Maadi Company ARM Rifle, CAL: 762,
SN: OK0068;

U.S.A. Military Surplus 1917 Rifle,
CAL: Unknown, SN: D8259-13-SG;

Walther HK MP5 Rifle, CAL: 22,
SN: WG024573;

Winchester 90 Rifle, CAL: 22, SN: 654243;
R.D.K. 84044 Cal 22 M180 SN117
Unknown Silencer, CAL: 22, SN: 117;

Browning Buckmark Pistol, CAL: 22,
SN: 515ZM16825;

Scorpion Armament System Silencer SAS
11106S Unknown Silencer, CAL: Unknown,
SN: Unknown;

Ruger 10/22 Rifle, CAL: 22, SN: 350-16819;
Beretta, Pietro S.P.A 84 Pistol, CAL: 380,
SN: B39014Y;

ANC Systems Technology MK9 9mm, SN:
F-092 MK9 Silencer, CAL: 9, SN: F-092;
Colt Mustang Pistol, CAL: 380, SN:
RR48765;

SWD M11A1 Machine Gun, CAL: 380,
SN: 85-3800764;

SWD Inc Cobray Stamp MII 380 Unknown
Silencer, CAL: 380, SN: 5544;

Special OP's Shop, Inc. Madisonville, TN
USA Genesis Silencer, CAL: 9, SN: C-499;

AWC Systems Technology, Phoenix, AZ,
F-613 Abraxas Silencer, CAL: 9, SN: F-613;

AWC Systems Technology, Phoenix, AZ
Spectrum 90 Silencer, CAL: 30, SN: F-698;

Germany MP40 Machine Gun, CAL: 9,
SN: 6077;

Winchester 101 Diamond Grade Shotgun,
CAL: Unknown, SN: DG535550E;

Colt Python Revolver, CAL: 357 SN: 78442;

Sig Sauer (Sig-Arms) P229 Pistol, CAL: 40,
SN: AD37140;

26 Rounds Assorted Ammunition,
CAL: 792;

34 Rounds Assorted Ammunition,
CAL: Unknown;

40 Rounds Assorted Ammunition,
CAL: Unknown;

8 Rounds Unknown Ammunition,
CAL: 20;

24 Rounds Assorted Ammunition,
CAL: Unknown;

12 Rounds Unknown Ammunition,
CAL: 40;

13 Rounds Assorted Ammunition,
CAL: Unknown;

John Norrell Arms Inc Unknown Silencer,
CAL: Unknown, SN: S-81886A;

F.N. (FN Herstal) Five-Seven Pistol,
CAL: 57, SN: 386292675;

Colt Lightweight Comm Pistol, CAL: 45,
SN: TLC062;

Beretta, Pietro S.P.A 92 Pistol, CAL: 9,
SN: G35290Z;

Beretta USA Corp 92F Pistol, CAL: 9,
SN: BER066339Z;

Polytechnologies AKS Rifle, CAL: 762,
SN: PS87-762-1622;

CZ (Ceska Zbrojovka) CZ75 Pistol,
CAL: 40, SN: A1002X;

Remington Arms Company, Inc. 700 Rifle,
CAL: 223, SN: A6861353;

Remington Arms Company, Inc. 700 Rifle,
CAL: 17, SN: CB626499;

Smith Manufacturing Group, Decatur, TX
FG 42 Rifle, CAL: 8, SN: FZS0067;

Beretta USA Corp M9 Pistol, CAL: 9,
SN: M9-1410;

Enfield 1916 Rifle, CAL: 303, SN: BSAC9;
Bushmaster Firearms XM15 Receiver,
CAL: Unknown, SN: L141227;

Ratmil C.U.R.2 Rifle, CAL: 545,
SN: 3-0127697;

AWC Systems Technology, Phoenix, AZ
CQB Silencer, CAL: 9, SN: F-312;

FEG SA85M Rifle, CAL: 762,
SN: SL03967;

Knights Armament Co. Vero Bch, FL 9mm
Snap-On Unknown Silencer, CAL: 9,
SN: BER066339Z;

Russian SKS45 Rifle, CAL: 762,
SN: RH208551;

Ithaca 1911 Pistol, CAL: 45, SN: 2076115;
Kelbly's Inc. Panda Rifle, CAL: 263,
SN: 04186;

Luger P08 Pistol, CAL: 9, SN: 9238;

Colt SP1 Rifle, CAL: 223, SN: SP204068;

Colt 9mm Carbine Rifle, CAL: 9,
SN: TA06435;

Colt 9mm Carbine Rifle, CAL: 9,
SN: TA03639;

Luger P08 Pistol, CAL: 9, SN: 2561;

Colt AR15 Machine Gun, CAL: 223,
SN: GC001930;

Daewoo DP52 Pistol, CAL: 22, SN: 400370;

Colt SP1 Rifle, CAL: 223, SN: SP112511;

Bushmaster Firearms XM15-E2S Rifle,
CAL: 223, SN: L075336;

FNH USA, LLC FNP40 Pistol, CAL: 40,
SN: 61CMN04160;

U.S.A. Military Surplus M1 Rifle, CAL: 30,
SN: 4532568;

Colt 1911 Pistol, CAL: 45, SN: 389749;

Ruger M77 Rifle, CAL: 270, SN: 772-91425;

Germany G33/40 Rifle, CAL: Unknown,
SN: 1399;

U.S.A. Military Surplus 1911A1 Pistol,
CAL: 45, SN: 299792;

Argentina 1911 Pistol, CAL: 45, SN: 22826;

Germany G33/40 Rifle, CAL: Unknown,
SN: 7398;

Rossi Overland Shotgun, CAL: 20,
SN: T125243;

Browning SA-22 Rifle, CAL: 22,
SN: 08228NT146;

Ruger 10/22 Rifle, CAL: 22, SN: 243-20227;

AWC Systems Technology Ultra II Silencer,
CAL: 22, SN: G-862;

Remington Arms Company, Inc. Mohawk
600 Rifle, CAL: 243, SN: 6430551;

U.S.A. Military Surplus M1 Rifle, CAL: 30,
SN: 5781080;

Simson Unknown Rifle, CAL: Unknown,
SN: 4891;

Heckler & Koch Inc. MR 556 Rifle,
CAL: 556, SN: 241-001898;

Germany G41 Rifle, CAL: 8, SN: 1273;

Norinco (North China Industries) 84S-1
Rifle, CAL: 223, SN: 302646;

Russian Masin Nagant Rifle, CAL: 762,
SN: ZH005508;

Remington Arms Company, Inc. 600 Rifle,
CAL: 308, SN: 47273;

Browning SA-22 Rifle, CAL: 22,
SN: 04156PX146;

Norinco (North China Industries) NHM91
Rifle, CAL: 762, SN: 9200052;

Browning Citori Shotgun, CAL: 12,
SN: 51417;

Browning Auto 5 Shotgun, CAL: 12,
SN: 11371PP211;

Colt AR-15A2 Government Rifle, CAL: 223,
SN: GS008861;

Israel Weapon Ind-IWI (Israel Military Ind-
IMI) Galil Rifle, CAL: 223, SN: AAL-
2079294;

Remington Arms Company, Inc. Mohawk
600 Rifle, CAL: 243, SN: 6432095;

Lithgow L1A1A Rifle, CAL: 762,
SN: 7870C;

Zastava M70 Rifle, CAL: 762, SN: 1235;

Colt AR-15A2 Government Rifle, CAL: 223,
SN: GC000172;

Benelli, S. PA. M1 Super 90 Shotgun,
CAL: 12, SN: M314088;

Century Arms International L1A1 Rifle,
CAL: 308, SN: C2282;

Zastava RPK47, CAL: 762, SN: 002899;

Heckler and Koch HK93 Rifle, CAL: 223,
SN: 42-137142;

Colt AR-15A2 HBAR Sporter Rifle,
CAL: 223, SN: SP 244272;

Colt AR15 Rifle, CAL: 223, SN: SP 00917;

Armscorp USA (Armscorp of America) M14
Rifle, CAL: 762, SN: 10212;

Yildiz Shotgun Ind. NBD TS870 Shotgun,
CAL: 20, SN: U12943;

Heckler and Koch HK93 Rifle, CAL: 23,
SN: 42-137323;

Valmet M62/S Rifle CAL: 762, SN: 140756;
F.N. (FN Herstal) FNC Rifle, CAL: 223,
SN: S011907;

Colt AR-15A2 GOV Carbine Rifle,
CAL: 223, SN: GC007675;

Steyr SSG 69 Rifle, CAL: 308, SN: 278845;

Colt 9mm Carbine Rifle, CAL: 9,
SN: TA07442;

Colt AR-15A2 Gov Carbine Rifle,
CAL: 223, SN: GC005787;

Russian SKS Rifle, CAL: 762, SN: 8801125;

FEG SA85M Rifle, CAL: 762,
SN: SL04487;

Zastava RPK47 Rifle, CAL: 762,
SN: 002213;

27685 Rounds Unknown Ammunition,
CAL: Unknown;

D-Technik SA VZ61 Rifle, CAL: Unknown,
SN: VR0364; and

Xploraco 22 Silencer, CAL: unknown, SN:
504

Defendants in rem.

UNITED STATES' COMPLAINT FOR FORFEITURE

The United States of America files this complaint *in rem* against the defendant property, and in support states:

I. JURISDICTION AND VENUE

1. This court has subject matter jurisdiction of this cause of action *in rem* by virtue of the provisions of 28 U.S.C. §§ 1345 and 1355(a). Venue is proper under 28 U.S.C. § 1355(b)(1) because acts giving rise to the forfeiture occurred in this district.

2. The statutory bases for this suit are 18 U.S.C. § 924(d), 28 U.S.C.

§ 2461(c), 49 U.S.C. § 80303, and 26 U.S.C. § 5872. Also applicable are 28 U.S.C. §§ 2461 and 2465, 18 U.S.C. § 983, and Supplemental Rule G.

II. THE DEFENDANT PROPERTY AND ITS LOCATION

3. The defendant property is comprised of the following personal property seized from the residence of Richard Kelly Page on or about August 11, 2017:

- Sig Sauer (Sig-Arms) MPX-P Pistol, CAL: 9, SN: 62B039420;
- Heckler and Koch MP5 Machine Gun, CAL: 9, SN: 5016;
- Colt M4 Rifle, CAL: 223, SN: 846552;
- Ratmil ROMAK 2 Rifle, CAL: 545, SN: 0K0068;
- Ident Marking Services, Rockwall TX MK 111 7.62 MK III Silencer, CAL: 762, SN: 20120142;
- Maadi Company ARM Rifle, CAL: 762, SN: OK0068;
- U.S.A. Military Surplus 1917 Rifle, CAL: Unknown, SN: D8259-13-SG;
- Walther HK MP5 Rifle, CAL: 22, SN: WG024573;
- Winchester 90 Rifle, CAL: 22, SN: 654243;
- R.D.K. 84044 Cal 22 M180 SN117 Unknown Silencer, CAL: 22, SN: 117;
- Browning Buckmark Pistol, CAL: 22, SN: 515ZM16825;
- Scorpion Armament System Silencer SAS 11106S Unknown Silencer, CAL: Unknown, SN: Unknown;
- Ruger 10/22 Rifle, CAL: 22, SN: 350-16819;
- Beretta, Pietro S.P.A 84 Pistol, CAL: 380, SN: B39014Y;
- ANC Systems Technology MK9 9mm, SN: F-092 MK9 Silencer, CAL: 9, SN: F-092;
- Colt Mustang Pistol, CAL: 380, SN: RR48765;
- SWD M11A1 Machine Gun, CAL: 380, SN: 85-3800764;
- SWD Inc Cobray Stamp MII 380 Unknown Silencer, CAL: 380, SN: 5544;
- Special OP's Shop, Inc. Madisonville, TN USA Genesis Silencer, CAL: 9, SN: C-499;
- AWC Systems Technology, Phoenix, AZ, F-613 Abraxas Silencer, CAL: 9, SN: F-613;
- AWC Systems Technology, Phoenix, AZ Spectrum 90 Silencer, CAL: 30, SN: F-698;
- Germany MP40 Machine Gun, CAL: 9, SN: 6077;

- Winchester 101 Diamond Grade Shotgun, CAL: Unknown, SN: DG535550E;
- Colt Python Revolver, CAL: 357 SN: 78442;
- Sig Sauer (Sig-Arms) P229 Pistol, CAL: 40, SN: AD37140;
- 26 Rounds Assorted Ammunition, CAL: 792;
- 34 Rounds Assorted Ammunition, CAL: Unknown;
- 40 Rounds Assorted Ammunition, CAL: Unknown;
- 8 Rounds Unknown Ammunition, CAL: 20;
- 24 Rounds Assorted Ammunition, CAL: Unknown;
- 12 Rounds Unknown Ammunition, CAL: 40;
- 13 Rounds Assorted Ammunition, CAL: Unknown;
- John Norrell Arms Inc Unknown Silencer, CAL: Unknown, SN: S-81886A;
- F.N. (FN Herstal) Five-Seven Pistol, CAL: 57, SN: 386292675;
- Colt Lightweight Comm Pistol, CAL: 45, SN: TLC062;
- Beretta, Pietro S.P.A 92 Pistol, CAL: 9, SN: G35290Z;
- Beretta USA Corp 92F Pistol, CAL: 9, SN: BER066339Z;
- Polytechnologies AKS Rifle, CAL: 762, SN: PS87-762-1622;
- CZ (Ceska Zbrojovka) CZ75 Pistol, CAL: 40, SN: A1002X;
- Remington Arms Company, Inc. 700 Rifle, CAL: 223, SN: A6861353;
- Remington Arms Company, Inc. 700 Rifle, CAL: 17, SN: CB626499;
- Smith Manufacturing Group, Decatur, TX FG 42 Rifle, CAL: 8, SN: FZS0067;
- Beretta USA Corp M9 Pistol, CAL: 9, SN: M9-1410;
- Enfield 1916 Rifle, CAL: 303, SN: BSAC9;
- Bushmaster Firearms XM15 Receiver, CAL: Unknown, SN: L141227;
- Ratmil C.U.R.2 Rifle, CAL: 545, SN: 3-0127697;
- AWC Systems Technology, Phoenix, AZ CQB Silencer, CAL: 9, SN: F-312;
- FEG SA85M Rifle, CAL: 762, SN: SL03967;
- Knights Armament Co. Vero Bch, FL 9mm Snap-On Unknown Silencer, CAL: 9, SN: BER066339Z;
- Russian SKS45 Rifle, CAL: 762, SN: RH208551;
- Ithaca 1911 Pistol, CAL: 45, SN: 2076115;
- Kelbly's Inc. Panda Rifle, CAL: 263, SN: 04186;
- Luger P08 Pistol, CAL: 9, SN: 9238;
- Colt SP1 Rifle, CAL: 223, SN: SP204068;
- Colt 9mm Carbine Rifle, CAL: 9, SN: TA06435;

- Colt 9mm Carbine Rifle, CAL: 9, SN: TA03639;
- Luger P08 Pistol, CAL: 9, SN: 2561;
- Colt AR15 Machine Gun, CAL: 223, SN: GC001930;
- Daewoo DP52 Pistol, CAL: 22, SN: 400370;
- Colt SP1 Rifle, CAL: 223, SN: SP112511;
- Bushmaster Firearms XM15-E2S Rifle, CAL: 223, SN: L075336;
- FNH USA, LLC FNP40 Pistol, CAL: 40, SN: 61CMN04160;
- U.S.A. Military Surplus M1 Rifle, CAL: 30, SN: 4532568;
- Colt 1911 Pistol, CAL: 45, SN: 389749;
- Ruger M77 Rifle, CAL: 270, SN: 772-91425;
- Germany G33/40 Rifle, CAL: Unknown, SN: 1399;
- U.S.A. Military Surplus 1911A1 Pistol, CAL: 45, SN: 299792;
- Argentina 1911 Pistol, CAL: 45, SN: 22826;
- Germany G33/40 Rifle, CAL: Unknown, SN: 7398;
- Rossi Overland Shotgun, CAL: 20, SN: T125243;
- Browning SA-22 Rifle, CAL: 22, SN: 08228NT146;
- Ruger 10/22 Rifle, CAL: 22, SN: 243-20227;
- AWC Systems Technology Ultra II Silencer, CAL: 22, SN: G-862;
- Remington Arms Company, Inc. Mohawk 600 Rifle, CAL: 243, SN: 6430551;
- U.S.A. Military Surplus M1 Rifle, CAL: 30, SN: 5781080;
- Simson Unknown Rifle, CAL: Unknown, SN: 4891;
- Heckler & Koch Inc. MR 556 Rifle, CAL: 556, SN: 241-001898;
- Germany G41 Rifle, CAL: 8, SN: 1273;
- Norinco (North China Industries) 84S-1 Rifle, CAL: 223, SN: 302646;
- Russian Masin Nagant Rifle, CAL: 762, SN: ZH005508;
- Remington Arms Company, Inc. 600 Rifle, CAL: 308, SN: 47273;
- Browning SA-22 Rifle, CAL: 22, SN: 04156PX146;
- Norinco (North China Industries) NHM91 Rifle, CAL: 762, SN: 9200052;
- Browning Citori Shotgun, CAL: 12, SN: 51417;
- Browning Auto 5 Shotgun, CAL: 12, SN: 11371PP211;
- Colt AR-15A2 Government Rifle, CAL: 223, SN: GS008861;
- Israel Weapon Ind-IWI (Israel Military Ind-IMI) Galil Rifle, CAL: 223, SN: AAL-2079294;
- Remington Arms Company, Inc. Mohawk 600 Rifle, CAL: 243, SN: 6432095;
- Lithgow L1A1A Rifle, CAL: 762, SN: 7870C;
- Zastava M70 Rifle, CAL: 762, SN: 1235;
- Colt AR-15A2 Government Rifle, CAL: 223, SN: GC000172;

- Benelli, S. PA. M1 Super 90 Shotgun, CAL: 12, SN: M314088;
- Century Arms International L1A1 Rifle, CAL: 308, SN: C2282;
- Zastava RPK47, CAL: 762, SN: 002899;
- Heckler and Koch HK93 Rifle, CAL: 223, SN: 42-137142;
- Colt AR-15A2 HBAR Sporter Rifle, CAL: 223, SN: SP 244272;
- Colt AR15 Rifle, CAL: 223, SN: SP 00917;
- Armscorp USA (Armscorp of America) M14 Rifle, CAL: 762, SN: 10212;
- Yildiz Shotgun Ind. NBD TS870 Shotgun, CAL: 20, SN: U12943;
- Heckler and Koch HK93 Rifle, CAL: 23, SN: 42-137323;
- Valmet M62/S Rifle CAL: 762, SN: 140756;
- F.N. (FN Herstal) FNC Rifle, CAL: 223, SN: S011907;
- Colt AR-15A2 GOV Carbine Rifle, CAL: 223, SN: GC007675;
- Steyr SSG 69 Rifle, CAL: 308, SN: 278845;
- Colt 9mm Carbine Rifle, CAL: 9, SN: TA07442;
- Colt AR-15A2 Gov Carbine Rifle, CAL: 223, SN: GC005787;
- Russian SKS Rifle, CAL: 762, SN: 8801125;
- FEG SA85M Rifle, CAL: 762, SN: SL04487;
- Zastava RPK47 Rifle, CAL: 762, SN: 002213;
- 27685 Rounds Unknown Ammunition, CAL: Unknown;
- D-Technik SA VZ61 Rifle, CAL: Unknown, SN: VR0364; and
- Xploraco 22 Silencer, CAL: unknown, SN: 504

(collectively, the defendant property).

4. The defendant property is currently in the custody and management of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in the Northern District of Texas.

III. NOTICE AND POTENTIAL CLAIMANT

5. The only known potential claimant to the defendant property is Richard Kelly Page. Richard Kelly Page, through attorney Navid Alband, claimed ownership of the defendant property in October 2017.

6. Richard Kelly Page may be served with process at 3105 College Avenue, Fort Worth, Texas 76110, and through attorney Navid Alband, 1130 South Henderson

Street Fort Worth, Texas 76104 because Alband represented Page in the ATF administrative forfeiture proceeding and filed Page's claim to the defendant property with the ATF. Notice of this Complaint will be provided to Page individually and through attorney Alband.

IV. FACTS AND BASIS FOR FORFEITURE

7. The defendant property is subject to forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) because each item is either a "firearm or ammunition involved in or used in any knowing violation of" 18 U.S.C. § 922(g)(3).

8. Further, the five firearms listed in paragraph 17 below are additionally subject to forfeiture pursuant to 49 U.S.C. § 80303 & 26 U.S.C. § 5872. The facts supporting these claims are set forth in paragraphs 9 through 27 below, verified by ATF Special Agent Stephen Brenneman.

Fort Worth Police Investigate Explosions at Page's Residence

9. On November 12, 2016, the Fort Worth Fire Department (FWFD) Bomb Squad and Fire Investigators responded to a reported explosion at 3025 College Ave, Fort Worth, Texas. This is the residence of Richard Kelly Page. FWFD officers made contact with Page, and Page told them that he did not consent to them searching his backyard to see what happened. Page stated that he and his son had been digging in the backyard to attempt to remove a tree trunk and then they went inside. Page then said that the explosion occurred while they were inside. Investigators obtained and executed a search warrant at the residence. Investigators witnessed a small crater near a tree stump in the back yard. It appeared that someone had attempted to remove the tree stump by use of

explosives. A length of orange explosive time fuse was found near the crater. It also appeared that bags of unmixed concrete were placed over the explosives due to there being shreds of the concrete bags all over the back yard and on the roof of the house. Dirt clods were found as far as 300 feet away from the suspected blast seat. Investigators were unable to determine specifically what happened and no criminal action was taken at that time.

Page Overdoses on Heroin, Has to be Revived

10. In March 2017, Emergency Medical Services had to respond to Page's residence due to an apparent overdose of heroin by an adult white male. Responders had to revive the individual by using NARCAN, which is commonly used to rescue people from heroin overdoses.

FWPD Search Page's House Based on Further Issues Related to Explosives

11. On July 30, 2017, the FWPD received a tip that there were electric detonators in the attic at the residence located at 3025 College Avenue.

12. FWPD investigators subsequently secured a search warrant, and on August 11, 2017, the warrant was served by FWFD, FWPD, and ATF. Page and his son, Nicholas Page were present at the residence.

13. The following explosive and drug items were recovered from the residence:

- a. Four (4) Explosive Devices consisting of orange duct style tape, pyrotechnic powder, orange time fuse, and bb's and bolts;
- b. Approximately 24 pounds of Kinestik Binary Explosives;
- c. Approximately 91 explosive detonators;

- d. Approximately 5.8 grams of crack cocaine;
- e. Approximately 13.9 grams of Xanax;
- f. Approximately .92 ounces of marijuana;
- g. Approximately 12.3 grams of LSD (including glass container); and
- h. Numerous items of drug paraphernalia to include syringes, pipes, and baggies were found throughout the house, specifically in Page's bedroom.

14. Additionally, at least 91 firearms, thousands of rounds of ammunition, and other firearm-related items—the defendant property described above—were also seized.

15. Of the defendant property that was seized, several of the firearms are registered in the National Firearms Registration and Transfer Record (NFRTR) to either Richard Kelly Page or RKP Investments. RKP Investments is no longer an official entity in the state of Texas due to the State forfeiting the business's Certificate/Charter in January 2016, therefore, all the National Firearms Act (NFA) weapons registered to RKP Investments are no longer properly registered and are in violation of the NFA.

16. The following NFA weapons were seized from Page's residence and are not listed as being registered to a person, including Page, which is in violation of the NFA:

- a. Heckler and Koch MP5 Machine Gun, CAL: 9, SN: 5016;
- b. Maadi Company ARM Rifle, CAL: 762, SN: OK0068;
- c. Colt 9mm Carbine Rifle, CAL: 9, SN: TA03639;
- d. Colt AR15 Machine Gun, CAL: 223, SN: GC001930; and
- e. Bushmaster Firearms XM15-E2S Rifle, CAL: 223, SN: L075336.

17. Approximately twenty minutes after law enforcement initially made contact with Page, ATF Special Agents (SA) Brenneman and Alexander asked Page to speak with them in SA Brenneman's vehicle. Page walked to SA Brenneman's vehicle on his own and was not handcuffed. Prior to this, Page was asking for information about why the police were at his house. SA Brenneman and Page began speaking and SA Brenneman informed Page that they were there to serve a search warrant for explosives. Page stated that he knew law enforcement had come back to his residence due to the explosion that occurred a few months back. Page stated that he did not know what happened during that explosion.

18. SA Brenneman informed Page that he wanted to speak with Page about why they were there and to ask Page some questions. SA Brenneman told Page that prior to them speaking, he would have to read Page his *Miranda* rights, and Page would have to waive them. Prior to SA Brenneman reading the *Miranda* rights, Page stated that he would not speak without an attorney present and went on to say that it would be stupid to do so. He said that the police would twist his words and use them against him. SA Brenneman informed Page that he would not do that. SA Brenneman told Page that he was there to find out the truth. SA Brenneman told Page to call his attorney so that he and Page could speak about why the search warrant was happening, but Page stated that he did not have a criminal attorney because he does not need one.

19. Page stated that he was a law-abiding citizen and does not do anything wrong. SA Brenneman told him that he would not classify Page as a law-abiding citizen

because Page used explosives in his back yard, improperly stored explosives in his attic, and used drugs. SA Brenneman specifically mentioned the fact that Page overdosed on heroin in March 2017 and had to be revived with NARCAN and then went to the hospital. Page stated that when he overdosed, that was only the second time he had ever used heroin and that he had not used it since that time. He said that he would not have heroin in his system, but said that he may have marijuana in his system.

20. Page again asked about why the police were searching his residence. SA Brenneman informed him that they were there because they had information that he was improperly storing detonators in this house. Page began to speak about the blasting caps and Kenestik that were in his attic. Page stated that he bought those legally years ago from Petro Explo near Mansfield, Texas. SA Brenneman again informed Page that he needed to read him his rights for them to continue speaking. Page did not agree to waive his rights but continued to make voluntary statements about the explosives.

21. For officer safety purposes, SA Brenneman asked Page about the explosive devices in the house and whether they would potentially hurt officers. Page stated there was nothing in the house that was dangerous. SA Brenneman asked him about the explosive devices, and Page stated that there were no devices in the house. Page stated that he would not have anything in the house that would hurt his son, Nicholas. SA Brenneman advised Page that there were in fact devices at his house and that if he did not know about them, then they must be his son's. Page became even more irritated and said that neither he nor his son had done anything wrong.

22. SA Brenneman then shut off the engine of his vehicle and told Page that

they did not need to speak anymore because Page did not waive his rights and due to Page's deceitful statements. Page got even more upset and exited SA Brenneman's vehicle.

23. About fifteen minutes after this, SA's Brenneman and Yoder were speaking in the front yard near the street with ATF Resident Agent in Charge (RAC) Gordon. Page then yelled at SA Brenneman and told him he wanted to talk to him. SA Brenneman went over to where Page was sitting on the front porch and began speaking with Page. Page told SA Brenneman that his son made the devices and that they were not made to harm anyone. He said that they were made from 'bird bombs' that they had in the house. SA Brenneman then went on to ask him about the explosives in the house and Page said that they were purchased numerous years ago. SA Brenneman asked Page about the explosion that happened in his back yard and Page said that he did not know what happened. SA Brenneman then told Page that he had already received results from the ATF Laboratory and that the suspected orange time fuse was in fact time fuse for explosives. SA Brenneman then explained to Page that he was going to send the orange time fuse recovered from Page's house during the warrant to the lab and have it compared to the fuse recovered from the explosion. SA Brenneman then told him that he believed they would be an exact match. Page then said that he did attempt to blow up a tree stump in his back yard and that he did it with the Kinestik that was found in his house. He further stated that he used one of the electric detonators that were found in his house to initiate the Kinestik. He said that he used a nine-volt battery to initiate the detonator. Page stated that he did not see what the problem was and that had he lived out

on a ranch this would be no big deal. SA Brenneman explained to Page he does not live on a ranch.

24. Page and SA Brenneman also spoke about SA Brenneman previously telling Page that Page had made some dumb decisions. Page called SA Brenneman over to speak with him and asked SA Brenneman what he meant by saying that had done some stupid things. SA Brenneman explained to Page that using explosives in his backyard in the middle of the City of Fort Worth, keeping and storing explosives in his attic, and using drugs were what SA Brenneman was referring to. Page then said, “[y]eah, that was probably all pretty stupid.”

Page Admits to Extensive Drug Use

25. Both Richard Page and Nicholas Page were arrested by FWPD. Richard Page was interviewed by FWPD and the FWFD after waiving his rights. Page admitted to being a drug user and stated that his drug of choice was crack cocaine. He also stated that he used heroin in March and had a bad reaction to it. He further stated that he removed the explosive devices from his vehicle after his son and his son’s friend were driving the car. He stated that his son made the devices. Page further said that his son had blown up a mailbox in Westover Hills, but the police did not arrest him for it. Page admitted to blowing up the stump in November 2016 with explosives.

26. Nicholas Page was interviewed after waiving his rights. He stated that he made the explosive devices. He said that he uses Marijuana and that his dad is a habitual drug user and has been for a long time.

27. Based on the above information and Special Agent Brenneman’s training

and experience, the evidence demonstrates that Page was in violation of federal firearms laws 18 U.S.C § 922(g)(3) by possessing the defendant property, and 26 U.S.C § 5861(d) by possessing the firearms listed in paragraph 17.

V. RELIEF SOUGHT

THEREFORE, the United States requests the following:

A. Publication of notice of this forfeiture action be made by posting notice on the official government internet site, www.forfeiture.gov, for at least 30 consecutive days, in accordance with Supplemental Rule G(4)(a).

B. Direct notice of this forfeiture action be given to those persons who reasonably appear to be potential claimants in accordance with Supplemental Rule G(4)(b).

C. All persons having any interest in or right against the defendant property be advised by the public notice or the direct notice to timely file in this court a verified claim identifying the interest or right to the defendant property as required by Supplemental Rule G(5)(a) and 18 U.S.C. § 983(a)(4)(A); and to file an answer to this Complaint for Forfeiture or motion under Fed. R. Civ. P. 12 in the manner required by the Supplemental Rule G(5)(b) and 18 U.S.C. § 983(a)(4)(B). Further, any person filing a verified claim of interest or right and/or an answer shall serve a copy on Joseph A. Magliolo, Assistant United States Attorney, 1100 Commerce Street, Suite 300, Dallas, Texas 75242.

D. At the conclusion of this proceeding, the defendant property be condemned by order and judgment of this court and declared and decreed to be forfeited to the United States of America in accordance with law.

E. All costs and expenses incurred by the United States in obtaining the forfeiture of the defendant property be appropriately taxed against any person or entity who may file a verified claim and answer herein, and/or if more than one person or entity files a verified claim and answer herein be jointly taxed and prorated among them, as the court deems just and equitable.

F. The United States have such other and further relief, at law or in equity, to which it may show itself justly entitled.

Respectfully submitted,

ERIN NEALY COX
UNITED STATES ATTORNEY

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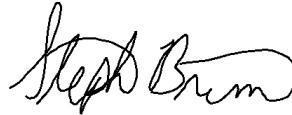
ATTORNEYS FOR PLAINTIFF

VERIFICATION OF COMPLAINT

I, Stephen J. Brenneman, declare under penalty of perjury that the following is true and correct to the best of my knowledge.

I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and I have been assigned to assist in the forfeiture of the defendant property. I have read the foregoing Complaint for Forfeiture and know its contents, and I verify that the factual information contained in the Complaint for Forfeiture is true and correct to the best of my knowledge.

Date: April 13, 2018



Stephen J. Brenneman
Special Agent, ATF